

**Notice of Allowability**

Application No.

10/006,049

Examiner

Kristin Derwich

Applicant(s)

DOE ET AL.

Art Unit

2132

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/29/05.
2. ☒ The allowed claim(s) is/are 1-10, 12, 14 and 16-22 (claims renumbered as 1-19).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

THOMAS R. PEESO  
PRIMARY EXAMINER

### **DETAILED ACTION**

1. Claims 11, 13 and 15 are cancelled. Claims 1-10, 12, 14 and 16-22 are allowable.

#### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 10 and 17:

Amendments to the claims overcome the prior art rejections made in the previous action. The prior art of record (Flyntz, U.S. 6,351,817), fails to disclose attaching a portable encryption device that triggers a bus reset and enabling control of the encryption control device through a system tray utility program and enabling a user to add a secondary user to the smart card, setting the secondary user's level of access to the portable encryption control device. None of the other references cited in the prior action combine with Yarborough to disclose the amended limitations to claims 1 and 13.

An updated search did not uncover any new prior art. Flyntz, Davis, Novis, Clark, Corcoran and NetWarrior are the closest art of record. No art disclosing, nor motivation to combine has been found which recites a portable encryption control device attached to a computing device that triggers a bus reset on the computer enabling a user to control and customize the portable device through a system tray utility program and enabling the user to add a secondary user to the smart card and setting the secondary user's level of access to the portable encryption control device. In the art of secure computing environments, it is most prevalent to utilize a single user smart card for authorization and access through a smart card reader that can

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be detachable, however does not trigger a bus reset on the computer, nor does it usually utilize a system tray utility program in order to control and customize it.

All other pending claims are dependent upon allowable claims 1, 10 and 17 and are allowable for that reason.

Because claims were canceled and new claims were added that were dependent upon claims 1, 10 and 17, the Examiner took the liberty of renumbering the claims as follows:

Claim 21 is now claim 10.

Claim 10 is now claim 11.

Claim 14 is now claim 13.

Claims 16-20 are now claims 14-18 respectively.

Claim 22 is now claim 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin Derwich whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristin Derwich  
Examiner  
Art Unit 2132

  
KMD

  
**THOMAS R. PEESO**  
**PRIMARY EXAMINER**